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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 FIRAS DJELASSI,

9 Petitioner,

10 v.

11 ICE FIELD OFFICE DIRECTOR,

12 Respondent.

Case No. C19-491-RSM-MLP

ORDER DIRECTING PETITIONER  
TO ESTABLISH FINANCIAL  
ELIGIBILITY FOR APPOINTMENT  
OF COUNSEL

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14 Petitioner filed this 28 U.S.C. § 2241 immigration habeas action *pro se* to obtain release  
15 from immigration detention or a bond hearing. He has been detained without a bond hearing  
16 since May 21, 2018. The Government has moved to dismiss, arguing that Petitioner is lawfully  
17 detained under 8 U.S.C. § 1225(b)(1) and that his continued detention does not violate due  
18 process. (Dkt. # 7.) Petitioner did not file a response.

19 Having reviewed the Government's motion to dismiss, the Court concludes that because  
20 of the complex issues involved in this case, the interests of justice require that the Office of the  
21 Federal Public Defender be appointed to represent Petitioner in this matter. *See* 18 U.S.C. §  
22 3006A(a)(2)(B). The statute, however, also requires a habeas petitioner to establish that he is  
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ORDER DIRECTING PETITIONER TO  
ESTABLISH FINANCIAL ELIGIBILITY  
FOR APPOINTMENT OF COUNSEL - 1

1 financially eligible for appointment of counsel, and there is no information in the record  
2 regarding Petitioner's financial eligibility. Accordingly, the Court ORDERS:

3 (1) On or before **July 31, 2019**, Petitioner shall file an application to proceed *in*  
4 *forma pauperis* with the Court. If the *in forma pauperis* application establishes Petitioner's  
5 financial eligibility for the appointment of counsel, the Court will appoint the Office of the  
6 Federal Public Defender to represent Petitioner in this matter.

7 (2) The Clerk is directed to send Petitioner a copy of this order and an application to  
8 proceed *in forma pauperis*. The Clerk also is directed to send copies of this order to counsel for  
9 respondent, the Office of the Federal Public Defender, and the Honorable Ricardo S. Martinez.

10 (3) The Clerk shall RE-NOTE the Government's motion to dismiss (Dkt. # 7) for July  
11 31, 2019. If the Court appoints the Office of the Federal Public Defender to represent Petitioner,  
12 it will re-note the motion to dismiss to allow for additional briefing.

13 Dated this 9th day of July, 2019.

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15 MICHELLE L. PETERSON  
16 United States Magistrate Judge  
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